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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,122	01/22/2002	Brian E. Belcher	MMSO18351	7366

7590 06/16/2004
James O. Dixon
Crutsinger & Booth
1601 Elm St., Suite 1950
Dallas, TX 75201

EXAMINER

NGUYEN, PHUNG

ART UNIT	PAPER NUMBER
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2632

DATE MAILED: 06/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/055,122

Applicant(s)

BELCHER ET AL.

Examiner

Phung T Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 April 2004.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-17 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Beckert et al. (U.S. Pat. 5,949,345).

Regarding claim 1: Beckert et al. disclose displaying computer information to a driver of a vehicle comprising at least one vehicle motion condition detector 27 providing signals indicative of current motion of the vehicle (figure 1, col. 4, lines 6-10); at least one signal processor 16 responsive to signals provided by the at least one detector indicative of vehicle motion (col. 4, lines 58-65); at least one vehicle mounted communication device 24 (col. 3, lines 53-65) and at least one blanking device associated with the signal processor and the communication device responsive to the blanking signals and configured to shut down output from the computer ports to the communication device to prevent utilization with the at least one communications device by the vehicle operator (figure 1, col. 1, lines 48-59).

Regarding claim 2: Beckert et al. disclose the at least one motion condition detector comprising an electric speedometer and antilock brake system (col. 4, lines 6-13).

Regarding claim 3: Beckert et al. disclose the signal processor comprising a programmable digital processor configured to deliver outputs to temporarily block device

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outputs that may be dangerously distracting to the vehicle operator at that time (col. 4, lines 66-67, and col. 5, lines 1-3).

Regarding claim 4: Beckert et al. disclose the programmable digital signal processor is a “PC” type computer (col. 2, lines 42-57).

Regarding claim 5: Beckert et al. disclose the “PC” computer includes an output monitor and an input keyboard (col. 2, lines 64-67).

Regarding claim 6: Refer to claim 4 above.

Regarding claim 7: Refer to claim 5 above.

Regarding claim 8: Refer to claim 2 above.

Regarding claim 9: Beckert et al. disclose the at least one motion condition detector comprising a transmission park/neutral switch (col. 1, lines 54-55, col. 4, lines 16-20).

Regarding claim 10: Beckert et al. inherently teach the at least one motion condition detector comprising an antilock brake system (col. 4, lines 6-15).

Regarding claim 11: Beckert et al. disclose the at least one motion condition detector comprising an electric speedometer (col. 4, lines 6-13).

Regarding claim 12: All the claimed subject matter is already discussed in respect to claims 1, and 2 above.

Regarding claim 13: Beckert et al. disclose the blanking signals are applied to others of the communication devices mounted on the vehicle (col. 3, lines 53-62).

Regarding claim 14: Beckert et al. disclose voice communication devices (col. 3, lines 2-6).

Regarding claim 15: Beckert et al. disclose the communication devices including visual communication devices (col. 3, lines 53-56).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beckert et al. in view of Wood (U.S. Pat. 4,529,429).

Regarding claim 16: Beckert et al. do not show an optical isolator circuit in the signal path between the at least one vehicle motion condition detector and the at least one signal processor. However, Wood discloses a digital glass forming machine comprising an optical isolator circuit 38 as seen in figure 5, col. 6, lines 1-21. Therefore, it would have been obvious to one of ordinary skill in the art to utilize the conventional optical isolator circuit 38 of Wood in the system of Beckert et al. because the optical isolator circuit is merely an isolator switching device which is commercially available in the market.

Regarding claim 17: Refer to claim 16 above.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Haymond [U.S. Pat. 5,148,153] discloses automatic screen blanking in a mobile radio data terminal.

b. Brown et al. [U.S. Pat. 6,690,940] disclose system for selective prevention of non-emergency use of an electronic device.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phung T Nguyen whose telephone number is 703-308-6252. The examiner can normally be reached on 8:00am-5:30pm Mon thru. Friday, with alternate Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on 703-308-6730. The fax numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-308-9051 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

Examiner: Phung Nguyen



Date: June 11, 2004